

CITY OF TORONTO
PLANNING AND DEVELOPMENT DEPARTMENT

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July 5, 1984.

To: Land Use Committee

Subject: Response to Comments on Recent Reports on Residential
Densities in Mixed Commercial-Residential Areas

Origin: Land Use Committee, May 2, 1984 (c711uc84354:44)

Comments:

At its meeting on May 2, 1984, your Committee had before it my reports entitled:

- "Encouraging Development of Smaller Residential Units in High and Medium Density Mixed Commercial-Residential Districts of the Central Core" (March 26, 1984); and
- "Encouraging Development of Smaller Residential Units in Low Density Mixed Commercial-Residential Areas" (March 19, 1984).

Your Committee adopted the recommendations of my reports, requested the City Solicitor to submit the necessary draft by-laws to give effect thereto, and requested that I report further, in response to comments in communications from Mr. Ian W. Nicoll (April 2, 1984) and Cameron C. Ridsdale (April 18, 1984).

This report is submitted in response to the latter request. My conclusions are that certain changes Mr. Nicoll has suggested would be inappropriate. However, in examining the comments of Mr. Nicoll and Mr. Ridsdale with regard to my March 19, 1984 report, I have now, after further study, determined it would be appropriate to extend the FSI alternative, the new development option recommended in that report, to all Low Density Mixed-Use Areas in the City. Since the recommendations of my March 19, 1984 report do not refer to those Low Density Mixed-Use Areas where Part II Plans permit residential densities above 150 UPH (units per hectare) and up to 250 UPH, I am replacing my previous recommendations with a new set which includes reference to the latter areas.

1. High and Medium Density CR Areas

With respect to High and Medium Density CR Areas of the Central Core, my March 26, 1984 report recommended a new development option, in addition to options now available to developers under the UPH (units per hectare) system of calculating residential densities. Under the new option, termed the FSI alternative:

Land Use Committee

July 6, 1984.

- . residential densities would be calculated in terms of FSI (as a ratio of gross floor area to lot area) rather than UPR, subject to a minimum average unit size constraint of 50 sq. m g.f.a. (almost 550 sq. ft.);
- . total FSI would be capped at the mixing formula constant for the area (shared and personal recreation space to be exempt in determining FSI, at the level of minimum standards now specified in the Zoning By-law);
- . non-residential density limits would continue to be those now specified in the Official Plan and Zoning By-law; and
- . in High Density areas, buildings would be required to provide street-related retail and service uses at grade to a minimum 60% of frontage, or total FSI would be reduced to 0.3 less than the mixing formula constant.

Mr. Nicoll has generally commented favourably on these recommendations. However, he has requested that further consideration be given to deleting both the average unit size requirement and the street-related retail and service use requirement.

a) Minimum Average Unit Size

The minimum average unit size requirement of 50 sq. m (550 sq.ft.) is specified in terms of gross floor area which includes floor area used for common elements such as corridors, stairwells and elevator shafts. This requirement would, in fact, permit construction of much smaller units with minimum average sizes of about 41 sq. m (440 sq.ft.) net (within-unit) floor area. Since the requirement applies to average unit size, it would provide for buildings containing some units smaller than 50 sq. m g.f.a. or 41 sq. m net. However, it would prevent construction of buildings providing only smaller units.

In the absence of a minimum average unit size constraint, the FSI alternative would permit as-of-right construction of large projects containing only very small bachelorettes which satisfy Ontario Building Code (OBC) minimum space standards for self-contained apartments (units with washroom facilities). These work out to 24.4 sq. m (263 sq.ft.) g.f.a. or about 17 sq. m (184 sq.ft.) net. Potential over-concentration of projects containing only bachelorettes is a matter of concern in High and Medium Density Areas where projects are likely to be large. Thus, a minimum average unit size requirement for such areas appears desirable.

Land Use Committee

July 6, 1984.

b) Street-Related Retail Frontage

The recommendation that street-related retail and service uses be required to a minimum 60% of frontage applies only to High Density Mixed-Use Areas of the Central Core. In these areas, pedestrian traffic is fairly heavy and the market for retail and service businesses tends to be well established. This recommendation is similar to a provision already specified in the Official Plan, the objectives of which are to encourage growth of pedestrian traffic and continuity of the retail uses along the street.

Mr. Nicoll has suggested that retail frontage should not be required in areas with little or no market for retail and service businesses. This situation may well exist in some Medium Density Areas which have not been traditionally retail oriented. For this reason, I have not recommended that street-related retail frontage be required in Medium Density Areas. Since there appears to be no need for concern with respect to the market in High Density Areas, the requirement appears to be appropriate.

2. Revised Proposal - Low Density CR Areas

Section 3A.1(b) of the Official Plan provides for mixed-use buildings in Low Density CR Areas, up to densities determined by the following mixing formula:

$$\text{Non-Residential Density} + \frac{\text{Residential Density}}{100} = 2.5$$

provided that the Non-Residential density does not exceed 2.0 x the lot area and the Residential density (measured in UPH) does not exceed 150 UPH.

Sections 3A.1(c) and 3A.1(j) provide developers with the option of calculating residential densities permitted in terms of either UPH or FSI, but only in the case of small sites (less than 333 sq. m). The FSI alternative recommended in my March 19, 1984 report would extend the option of calculating residential densities in either of these two ways to all sites, regardless of their size.

Under the FSI alternative:

- . maximum Residential density would be 1.5 x the lot area (excluding required recreation space) instead of 150 UPH;
- . maximum Non-residential density would continue to be 2.0 x the lot area; and
- . total density would be capped at 2.5 x the lot area.

Land Use Committee

July 6, 1984.

The recommendations of my March 19, 1984 report apply to Low Density CR Areas covered by Part I of the Official Plan and to some Areas with Part II Plans, but not to those Areas where Part II Plans permit residential densities above 150 UPH and up to 250 UPH. Mr. Ridsdale has suggested that the FSI alternative should be available in the latter areas also. On re-examination, it appears that this would be appropriate. Thus, I am replacing the recommendations of my previous report with a new set which would extend the FSI alternative to Low Density CR Areas where residential densities up to 250 UPH are permitted, and which also include new provisions to allow substitution of residential g.f.a. for UPH, based on:

- . 100 UPH can be substituted with 1.0 x coverage
- . 150 UPH can be substituted with 1.5 x coverage
- . 200 UPH can be substituted with 2.0 x coverage
- . 250 UPH can be substituted with 2.5 x coverage

Mr. Nicoll has suggested that, under the FSI option, developers should be permitted to trade off unused Commercial density for Residential density. Specifically, he has proposed that, in cases where developers wish to provide only a minimum commercial-retail component of 0.3 x the lot area, Residential density should be permitted as-of-right in excess of 1.5 x, up to a maximum 2.2 x the lot area.

Low Density CR Areas are predominantly retail strips, and a major Official Plan objective is to encourage development of a substantial rather than a minimum commercial-retail component in projects in CR strips. In effect, Mr. Nicoll has suggested that as-of-right residential density limits be raised. However, as indicated in my March 19, 1984 report, residential density limits for retail strips have been established through detailed planning studies, and any further changes should be made only in the context of further area studies. In certain cases, as Mr. Nicoll suggests, lots may be deep enough to permit extra residential density to be built behind commercial-retail space. However, unusually deep lots are not typical of the Low Density CR strips.

Recommendations:

That the Recommendations of my March 19, 1984 report not be adopted but, instead, be replaced with the following:

- 1) That the City Solicitor, in consultation with the Commissioner of Planning and Development, be requested to submit a draft by-law to:
 - a) delete Sections 3A.1(c) and 3A.1(j) of Part I of the Official Plan, these being provisions which limit the

Land Use Committee

July 6, 1984.

option of calculating Residential Density in terms of either UPH or FSI to only small sites in Low Density Mixed Commercial-Residential Areas;

- b) add a new provision, substantially as follows, which would extend the FSI alternative to all sites regardless of size:

"Notwithstanding any other provisions of this Plan (Part I or Part II), Council may pass by-laws in Low Density Mixed Commercial-Residential Areas to permit buildings containing only residential uses, or buildings containing a mix of residential uses and commercial and/or institutional uses, where the Residential FSI Density does not exceed the following for the Residential Density measured in units per hectare, otherwise permitted for the particular area:

Residential Density
otherwise permitted

Residential FSI Density

100 units per hectare
150 units per hectare
200 units per hectare
250 units per hectare

1.0 times the area of the lot
1.5 times the area of the lot
2.0 times the area of the lot
2.5 times the area of the lot

and where the sum of the Residential FSI Density and the Non-Residential Density does not exceed the mixing formula constant for the area; and

- c) amend Section 10.37 of Part I of the Official Plan to add a new definition of residential FSI density to the existing definition of residential density, so that this Section reads substantially as follows:
- "i) the term residential density means the number of dwelling units in a building, divided by the area of the lot in hectares; and
- ii) the term residential FSI density means the gross floor area of residential uses excluding any required recreation space in a building, divided by the area of the lot in hectares."
- 2) That the City Solicitor, in consultation with the Commissioner of Planning and Development, be requested to submit a draft by-law to delete the following Sections (small sites provisions) of Part II Official Plans:

July 6, 1984.

Land Use Committee

- a) Section 4.53 of the Yonge-St. Clair Part II (OPA No. 53, By-law 644-76);
 - b) Sections 7.11 and 8.5 of the King-Parliament Part II (OPA No. 120, By-law 747-79);
 - c) Section 6.1.3 of the East of Main Part II (OPA No. 122, By-law 232-80);
 - d) Sections 3.4 and 4.4 of the Yonge-Lawrence Part II (OPA No. 128, By-law 127-80);
 - e) Section 4.2.3 of the Wallace-Emerson Part II (OPA No. 139 and 185, By-law 388-80 and 579-81);
 - f) Sections 4.1.3 and 4.2.3 of the Dovercourt Park Part II (OPA No. 162, By-law 203-81);
 - g) Section 5.4 of the Yonge-Eglinton Part II (OPA No. 182, By-law 390-81);
 - h) Section 4.6 of the Junction Triangle Part II (OPA No. 187, By-law 641-81);
 - i) Section 5.11 of the Bathurst-St. Clair Part II (OPA No. 243, By-law 553-83); and
 - j) Section 5.4 of the Knox Eastern Part II.
- 3) That the City Solicitor, in consultation with the Commissioners of Planning and Development and Buildings and Inspections, be requested to submit draft by-laws to amend the Zoning By-law:
- a) by deleting the small sites provisions, Sections 4(12)(j) and 4(12)(k), and adding a new provisions, substantially as follows:

"None of the provisions of this By-law shall apply to prevent the erection or use of a residential building or a mixed-use building containing a greater number of dwelling Units than otherwise permitted, on a lot in a CR district that is a U100, U150, U200, U250 zone and for which the value of the mixing formula constant does not exceed 3.2, provided that:

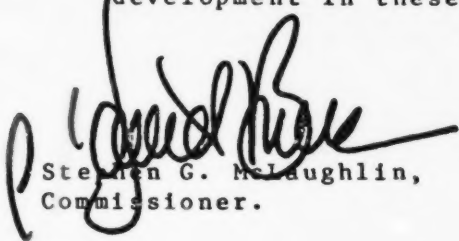
 - 1) the residential gross floor area excluding the gross floor area of recreation space required for the building does not exceed the amount prescribed below for the density zone:

Land Use Committee

July 6, 1984.

<u>Density Zone</u>	<u>Residential Gross Floor Area</u>
100 units per hectare	1.0 times the area of the <u>lot</u>
150 units per hectare	1.5 times the area of the <u>lot</u>
200 units per hectare	2.0 times the area of the <u>lot</u>
250 units per hectare	2.5 times the area of the <u>lot</u>

- ii) the sum of the residential gross floor area referred to in (i) plus the non-residential gross floor area permitted for the lot does not exceed the mixing formula constant for the lot;" and
- b) by deleting Section 16(1)(170) which sets out a small sites provision for the Dovercourt Park area.
- 4) That I be requested to report further on appropriate changes to C1 zoning provisions to better encourage residential development in these areas.


Stephen G. McLaughlin,
Commissioner.

VS/fs